

REMARKS

Claims 39, 42-49, 52-59, and 62-68 are pending in the application, claims 1-38 having been previously canceled. Claims 39, 42, 49, 52, 59 and 62-68 are currently amended. Claims 40-41, 50-51, and 60-61 are presently canceled without prejudice or disclaimer. No claims have been added in this Amendment. In view of the foregoing Amendment and following Remarks, allowance of all the pending claims is requested.

Applicant has amended and/or cancelled various claims solely to expedite prosecution of this application. Applicant expressly reserves the right to prosecute the subject matter of the claims prior to the foregoing Amendment and/or cancelled claims, or any other subject matter supported by the Specification, in one or more continuation applications.

Examiner Interview

Applicant thanks Examiner Cheryl Lewis for the courtesies of extending Applicant's representative a telephonic interview on October 22, 2008 ("Examiner Interview"). During the Examiner Interview, Applicant's representative and the Examiner discussed the claims in light of the rejections set forth in the Office Action.

Rejection Under 35 U.S.C. § 101

The Examiner has rejected claims 59-68 as allegedly being directed to non-statutory subject matter. See Office Action at page 2. Applicant traverses these rejections for at least the reason that the claims are directed toward statutory subject matter. Nonetheless, solely to expedite prosecution of this application, Applicant has canceled claims 60 and 61, rendering the rejections of these claims moot. Applicant has also amended claims 59 and 62-68 to recite "tangible computer readable medium" solely to clarify the claims. These claims as amended recite statutory subject matter. As such, for at least these reasons, the rejections of these claims as amended are improper and must be withdrawn.

Rejection Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 39-68 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,816,874 to Cotner et al. ("Cotner") and U.S. Patent Application Publication No. 2002/0016814 by Convent et al. ("Convent"), and U.S. Patent No. 6,901,582 to Harrison ("Harrison"). Applicant traverses these rejections for at least the reason that the references relied upon by the Examiner, either alone or in combination with one another, do not teach or suggest all the features of the claimed invention. Nonetheless, solely to expedite prosecution of this application and in response to the Examiner Interview, Applicant has amended claims 39, 49, and 59 to clarify these claims. As discussed during the Examiner Interview, the references relied upon by the Examiner, either alone or in combination with one another, do not disclose, teach, or suggest all the features of at least these claims as amended. For at least these reasons, the rejections of at least claims 39, 49, and 59 as amended are improper and must be withdrawn. The remaining pending claims depend from or add features to one of claims 39, 49, and 59. Accordingly, for at least the reasons set forth above with regard to claims 39, 49, and 59, the rejection of these dependent claims are likewise improper and must be withdrawn.

CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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